

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC DIGOXIN AND  
DOXYCYCLINE ANTITRUST  
LITIGATION**

**MDL NO. 2724  
16-MD-2724**

**HON. CYNTHIA M. RUFFE**

**THIS DOCUMENT RELATES TO:  
DIRECT PURCHASER ACTIONS AND  
END-PAYOR ACTIONS**

**ACTAVIS HOLDCO U.S., INC'S MOTION TO DISMISS DIRECT PURCHASER  
PLAINTIFFS' AND END-PAYOR PURCHASER PLAINTIFFS'  
CONSOLIDATED CLASS ACTION COMPLAINTS**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Actavis Holdco U.S., Inc. ("Actavis"), by its undersigned counsel, hereby respectfully moves to dismiss the Direct Purchaser Plaintiffs' Consolidated Amended Class Action Complaint (Dkt. No. 125) and the End-Payer Plaintiffs' Corrected Consolidated Class Action Complaint (Dkt. No. 175) in the above-referenced action. In support of this Motion, Actavis relies upon its Memorandum in Support of its Motion to Dismiss the Direct Purchaser Plaintiffs' and End-Payer Purchaser Plaintiffs' Consolidated Class Action Complaints ("Actavis Memorandum") and the Declaration of David M. Max and the exhibits and attachments thereto, which are being filed contemporaneously with this Motion.

For all the reasons set forth in the Actavis Memorandum, the Direct Purchaser Plaintiffs' Consolidated Amended Class Action Complaint and the End-Payer Plaintiffs' Corrected Consolidated Class Action Complaint should be dismissed with prejudice in their entirety.

Pursuant to Rule 7.1(f) of the Local Rules of Civil Procedure, Actavis requests oral argument on its motion to dismiss.

Dated: March 28, 2017

Respectfully submitted,

/s/ Sheron Korpus

Marc E. Kasowitz  
Hector Torres  
Sheron Korpus  
Seth B. Davis  
Seth A. Moskowitz  
David M. Max  
KASOWITZ BENSON TORRES LLP  
1633 Broadway  
New York, NY 10019  
Tel. (212) 506-1700  
mkasowitz@kasowitz.com  
htorres@kasowitz.com  
skorpus@kasowitz.com  
sdavis@kasowitz.com  
smoskowitz@kasowitz.com  
dmax@kasowitz.com

*Counsel for Actavis Holdco U.S., Inc.*